

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NOS. 202, 33, 45,  
183 & 217**  
**93RD GENERAL ASSEMBLY**

---

Reported from the Committee on Retirement March 17, 2005 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 202, 33, 45, 183 & 217 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

1095L.05C

---

**AN ACT**

To repeal section 287.845, RSMo, and to enact in lieu thereof two new sections relating to retirement, with an emergency clause.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 287.845, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 287.813 and 287.845, to read as follows:

**287.813. Any administrative law judge or legal advisor who is originally employed as such on or after the effective date of this section, and who has not previously been covered by the administrative law judge's and legal advisor's retirement system under sections 287.812 to 287.856, shall not be eligible to participate in that system. Such administrative law judge or legal advisor shall participate in the state employees' retirement system under chapter 104, RSMo, if otherwise eligible under the applicable provisions of law contained in that chapter.**

287.845. 1. The board shall administer the provisions of sections 287.812 to 287.855 and shall have the same powers, duties, and obligations in regard to the funds and the system provided for in such sections as it has in regard to the Missouri state employees' retirement system. The system shall calculate the annuity for an administrative law judge or legal advisor, as defined in section 287.812 based on the law in effect at the time the administrative law judge's or legal advisor's employment was terminated.

2. The commissioner of administration, the state treasurer, and the secretary of the Missouri

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

state employees' retirement system shall perform the same duties in regard to the retirement system established pursuant to the provisions of sections 287.812 to 287.855 that are prescribed for such officers in sections 104.436 and 104.438, RSMo, in regard to the Missouri state employees' retirement system. Funds so certified and transferred for the retirement system established pursuant to the provisions of sections 287.812 to 287.855 shall be deposited in a separate account of the Missouri state employees' retirement fund and shall be disbursed only for the purposes of sections 287.812 to 287.855.

3. [Notwithstanding any other provision of law to the contrary, nothing contained in this act shall alter or revise the administrative law judge's and legal advisor's retirement system as previously established by law.] **As of the effective date of this section, the liabilities and assets of the administrative law judge's and legal advisor's retirement system shall be transferred and combined with the state employees' retirement system. The contribution rate certified by the board under section 104.1066, RSMo, for the state employees' retirement system after the effective date of this section, shall include amounts necessary to cover the costs of the administrative law judge's and legal advisor's retirement system. This act shall not affect the past, present, or future rights or benefits of administrative law judges and legal advisors participating in the administrative law judge's and legal advisor's retirement system prior to the effective date of this act, including their beneficiaries, spouses, or former spouses.**

Section B. Because of the state of Missouri's retirement systems need to maintain the highest level of integrity and fairness, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.

Copy